

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

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**DANIEL WHIPPLE**

vs.

**CASE NUMBER: 5:08-CV-1356  
(GTS/DEP)**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

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**Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that Plaintiff's motion for remand is DENIED; Defendant's motion for judgment on the pleadings is GRANTED; Defendant's decision denying disability benefits is AFFIRMED; and Plaintiff's Complaint is DISMISSED.

All of the above pursuant to the Order of the Honorable District Judge Glenn T. Suddaby, dated the 31<sup>st</sup> day of March, 2011.

DATED: March 31, 2011



Lawrence D. Barron  
Clerk of Court

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s/ Melissa Ennis  
Melissa Ennis, Deputy Clerk